

REMARKS/ARGUMENT

The Examiner required restriction between Invention I (claims 1-11), drawn to a scented bracelet or tattoo; and Invention II (claims 12-18), drawn to a process for manufacturing a scented product. The Examiner stated that the process claimed could be used to make a materially different product; specifically, he said that the process of claim 12 is not limited to manufacturing the bracelet of claim 1.

The rejection is respectfully traversed.

The Examiner has given no basis for requiring a restriction between the product of claim 7 and the process of claim 12. Claim 7 recites a scented product "comprising at least one body, a sheet material on the at least one body, and a fragrance-containing microcapsule material adhered to the sheet material." Claim 12 recites a process of providing "a body, with a sheet material covering said body, and applying a fluid to said sheet material, said fluid containing microcapsules which contain a fragrance."

The Examiner has not given any grounds for restriction between claims 7 and 12. He does not even mention claim 7 in the Office Action. Contrary to the Examiner's comments in the Office Action, independent claim 7 does not recite either a bracelet or a tattoo.

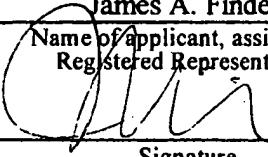
The process of claim 12 will inherently result in a product as recited in claim 7. Claim 12 cannot be utilized to make any product materially different from the product claimed in claim 7; and the product of claim 7 cannot be made by any process materially different from the process of claim 12.

Therefore, the restriction between claims 7 and 12 should be withdrawn. Product claims 7-11 should be examined along with process claims 12-18. Claims 1-6 may be withdrawn from consideration.

As required by 37 CFR 1.143, the applicant provisionally elects Invention I; while re-emphasizing that the restriction between claims 7-11 and claims 12-18 should be withdrawn.

I hereby certify that this correspondence is being facsimile at (703) 872-9326 to the Commissioner for Patents, Washington, D.C. 20231, on March 31, 2003:

James A. Finder

Name of applicant, assignee or
Registered Representative


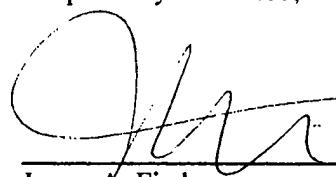
Signature

March 31, 2003

Date of Signature

JAF:msd

Respectfully submitted,



James A. Finder
Registration No.: 30,173
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700